

Declaration of Jeffrey Wonser

I, Jeffrey Wonser, declare as follows based upon personal knowledge:

1. I am over the age of 18 and competent to testify to the facts below based on personal knowledge.
2. Around March 10, 2022, I ordered a vanity license plate reading “F46 LGB” through the Ohio BMV’s website.
3. That message has multiple meanings, depending on who is reading it. I do not wish to assign it a single, fixed meaning. By remaining ambiguous and letting readers come to their own conclusions about my intentions, I can communicate a message separate from the text itself.
4. Days after I submitted my application, a BMV employee e-mailed me saying that the BMV had rejected my application because of a “potential perception of inappropriateness.”
5. I appealed that decision. Soon after, I received a letter from the BMV’s Registrar, who again denied my request “due to the potential perception of inappropriateness.”
6. I later received another letter from the Registrar saying that my request “falls into a prohibited category.” Through counsel, I appealed that decision to Defendant Stickrath. A copy of that letter is attached as ECF #12-39. Defendant Stickrath rejected my appeal on July 19, 2022. A copy of that letter is attached as ECF #12-41.
7. Through counsel, I requested access to records about what messages the BMV does and does not permit on license plates.
 - a. Exhibits 1–38, Exhibit 40, and Exhibits 42–45 are authentic copies of records we received in response to our request for “Records of internal deliberations over applications for special license plate combinations from January 1, 2018 forward.”
 - b. Exhibit 46 is an authentic copy of the record we received in response to our request for “A list of all granted special license plate combinations from January 1, 2018 forward.”
 - c. Exhibit 48 is an authentic copy of the record we received in response to our request for “A list of all denied special license plate combinations from January 1, 2018 forward.”
8. After Defendant Wilson replaced Defendant Stickrath as director of the Ohio Department of Public Safety, I sought to apply again for the same license plate on April 22, 2024.
9. The BMV immediately rejected my application. While I was previously able to process the full application only to be later notified that it was rejected, the BMV had since



WONSER_003750

reprogrammed its website to forbid me from proceeding with an application for the message I wanted. An authentic copy of the rejection message I received is attached as ECF #12-49.

10. Since filing suit, I have continued to research the BMV's practices in censoring messages on its license plates by tracking license plates I have seen on the road, by connecting with other people interested in vanity license plates, and by using an online tool the BMV provides to let you determine whether messages are available for registration.
11. When you enter a message into that tool, it generally reports that the message has already been registered, that it is available for registration, or that it is unavailable because it is "inappropriate/invalid" or for some other reason. The tool is available at <https://bmvonline.dps.ohio.gov/bmvonline/oplates/specializedplates/1>.
12. In using that tool, I've discovered that the BMV picks which sides of various debates it will permit to voice their opinions on vanity plates. For instance:
 - a. The BMV allows "WHITE" drivers to identify themselves, but it refuses to let "NEGRO" drivers identify themselves.
 - b. The BMV allows drivers to identify as "MEXICAN," "ASIAN," or "AMERICAN," but it refuses to allow them to identify as "RUSSIAN."
 - c. Even when it permits drivers to identify their national origin with neutral language, it refuses to let them reclaim historically derogatory terms like "BEANER," "SLANT I" or "GRINGO."
 - d. The BMV allows drivers to identify as heterosexual with messages like "IM STR8" and "STR8" and "HETERO" and "NOHOMO," but it refuses to allow me to identify as "GAY" or "LESBIAN" or "HOMO."
 - e. It likewise rejects "WLW," a common acronym referring to women who love women, while permitting "MLW" and "WLM."
 - f. The BMV allows drivers to identify as "CIS," but not as "QUEER."
 - g. The BMV allows drivers drivers to identify as "ATHEIST" or "TAOIST" or "SIKH" or "BAHAI" or "HINDU," but it refuses to let drivers identify themselves as "JEW" or "MUSLIM."
 - h. Accurate depictions of the results of those searches are attached as ECF #12-50.
13. These are just a few of the dozens of examples of the inconsistencies I've encountered since I began researching. The more I research, the more it becomes clear that the BMV's enforcement permits its censors to pick and choose which messages they will allow.

I declare the above to be true under penalty of perjury of the laws of the United States of America.



Jeffrey Wonser

10 / 06 / 2024

Date



Audit trail

Title	2024-10-06 Wonser declaration.pdf
File name	2024-10-06%20Wonser%20declaration.pdf
Document ID	c607683a913fb391d3567e6bdeef301b3eba234b
Audit trail date format	MM / DD / YYYY
Status	● Signed

This document was requested from app.clio.com

Document History



SENT

10 / 06 / 2024

20:12:29 UTC-4

Sent for signature to Jeffrey Wonser (mbha178@hotmail.com)
from general@speech.law
IP: 66.61.78.153



VIEWED

10 / 06 / 2024

20:22:55 UTC-4

Viewed by Jeffrey Wonser (mbha178@hotmail.com)
IP: 104.28.104.40



SIGNED

10 / 06 / 2024

20:27:20 UTC-4

Signed by Jeffrey Wonser (mbha178@hotmail.com)
IP: 104.28.103.41



COMPLETED

10 / 06 / 2024

20:27:20 UTC-4

The document has been completed.